

12. The sum of \$20,000 or so much thereof as is necessary for each of the fiscal years ending June 30, 1942, and June 30, 1943, is hereby appropriated out of the Public Shooting Grounds Fund, in the Department of Game and Fish, for the payment of Wolf Bounties in the manner provided by law.

13. Minnesota Society for the Prevention of Cruelty:

a. For salaries and Maintenance .....\$ 3,150      \$ 3,150

**Sec. 8. State treasurer to place vessel tonnage tax in separate account.**—The state treasurer is hereby authorized to set aside in a separate account the counties' share of the vessel tonnage tax and to distribute the same to the counties entitled thereto at the end of each fiscal year, as provided by Mason's Minnesota Statutes of 1927, Section 2291.

**Sec. 9. Unobligated balances to be cancelled.**—Except as herein otherwise specifically provided, the unobligated balances as of June 30, 1941, June 30, 1942, and June 30, 1943, in the several accounts for which an appropriation is herein made are hereby cancelled into the general revenue fund as of June 30, 1941, June 30, 1942, and June 30, 1943.

**Sec. 10. Same.**—All unobligated balances and receivables shall be cancelled into the general revenue fund as of June 30, 1941.

Approved April 28, 1941.

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CHAPTER 522—H. F. No. 1551

*An act relating to the schedule of compensation under the Workmen's Compensation Law; amending Mason's Minnesota Statutes of 1927, Section 4274, as amended by Laws 1929, Chapter 250.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **Law amended.**—Mason's Minnesota Statutes of 1927, section 4274, as amended by Laws 1929, Chapter 250, is hereby amended to read as follows:

"4274. **Schedule of compensation.**—Following is the schedule of compensation: (a) For injury producing temporary total disability,  $66\frac{2}{3}$  per cent of the daily wage at the time of injury, subject to a maximum compensation of \$20.00 per week, and a minimum of \$8.00 per week; provided, that if at the time of injury the employee receives wages of \$8.00 or less per week, then he shall receive the full amount of such wages per week. This compensation shall be paid during the period of such disability, not, however, beyond 300 weeks, payment to be made at the intervals when the wage was payable, as nearly as may be.

(b) In all cases of temporary partial disability, the compensation shall be  $66\frac{2}{3}$  per cent of the difference between the daily wage of the workman at the time of injury and the wage he is able to earn in his partially disabled condition. This compensation shall be paid during the period of such disability, not, however, beyond 300 weeks, payment to be made at the intervals when the wage was payable as nearly as may be and subject to the same maximum as stated in clause (a).

(c) For the permanent partial disability from the loss of a member, the compensation during the healing period, to be determined by the commission, but not exceeding fifteen weeks, shall be  $66\frac{2}{3}$  per cent of the difference between the daily wage of the workman at the time of injury and the wages he shall be able to earn, if any, in his partially disabled condition, unless on application to the Industrial Commission, made in the same manner as provided in section 19 for additional medical service, the period is extended by the commission for not to exceed an additional 35 weeks; and thereafter, and in addition thereto, compensation shall be that named in the following schedule:

(1) For the loss of a thumb,  $66\frac{2}{3}$  per cent of the daily wage at the time of injury during 60 weeks.

(2) For the loss of a first finger, commonly called index finger,  $66\frac{2}{3}$  per cent of the daily wage at the time of injury during 35 weeks.

(3) For the loss of a second finger,  $66\frac{2}{3}$  per cent of the daily wage at the time of injury during 30 weeks.

(4) For the loss of a third finger,  $66\frac{2}{3}$  per cent of the daily wage at the time of injury during 20 weeks.

(5) For the loss of a fourth finger, commonly called the little finger,  $66\frac{2}{3}$  per cent of the daily wage at the time of injury during 15 weeks.

(6) The loss of the first phalange of the thumb, or of any finger, shall be considered equal to the loss of one-half of such thumb or finger, and compensation shall be paid at the prescribed rate during one-half the time specified above for such thumb or finger.

(7) The loss of one and one-half or more phalanges shall be considered as the loss of the entire finger or thumb; provided, however, that in no case shall the amount received for more than one finger exceed the amount provided in this schedule for the loss of a hand.

(8) For the loss of a great toe,  $66\frac{2}{3}$  per cent of the daily wage at the time of injury during 30 weeks.

(9) For the loss of one of the toes other than a great toe,  $66\frac{2}{3}$  per cent of the daily wage at the time of injury during ten weeks.

(10) The loss of the first phalange of any toe shall be considered to be equal to the loss of one-half of such toe, and compensation shall be paid at the prescribed rate during one-half the time specified above for such toe.

(11) The loss of one and one-half or more phalanges shall be considered as the loss of the entire toe.

(12) For the loss of a hand, not including the wrist movement,  $66\frac{2}{3}$  per cent of the daily wages at the time of injury during 150 weeks.

(13) For the loss of a hand, including the wrist movement,  $66\frac{2}{3}$  per cent of the daily wage at the time of injury during 175 weeks.

(14) For the loss of an arm,  $66\frac{2}{3}$  per cent of the daily wage at the time of injury during 200 weeks.

(15) Amputation of the arm below the elbow shall be considered as the loss of a hand including wrist movement, if enough of the forearm remains to permit the use of an effective artificial member; otherwise it shall be considered as the loss of an arm.

(16) For the loss of a foot, not including the ankle movement,  $66\frac{2}{3}$  per cent of the daily wage at the time of injury during 125 weeks.

(17) For the loss of a foot, including ankle movement,  $66\frac{2}{3}$  per cent of a daily wage at the time of injury during 150 weeks.

(18) For the loss of a leg, if enough of the leg remains to permit the use of an effective artificial member,  $66\frac{2}{3}$  per cent of the daily wage at the time of injury during 175 weeks.

(19) For the loss of a leg so close to the hip that no effective artificial member can be used,  $66\frac{2}{3}$  per cent of the daily wage at the time of injury during 200 weeks.

(20) Amputation of the leg below the knee shall be considered as loss of foot including ankle movement, if enough of the lower leg remains to permit the use of an effective artificial member; otherwise it shall be considered as loss of a leg.

(21) For the loss of an eye,  $66\frac{2}{3}$  per cent of the daily wage at the time of injury during 100 weeks.

(22) For the complete permanent loss of hearing in one ear,  $66\frac{2}{3}$  per cent of the daily wage at the time of injury during 52 weeks.

(23) For the complete permanent loss of hearing in both ears,  $66\frac{2}{3}$  per cent of the daily wage at the time of injury during 156 weeks.

(24) For the loss of an eye and a leg,  $66\frac{2}{3}$  per cent of the daily wage at the time of injury during 350 weeks.

(25) For the loss of an eye and arm,  $66\frac{2}{3}$  per cent of the daily wage at the time of injury during 350 weeks.

(26) For the loss of an eye and a hand,  $66\frac{2}{3}$  per cent of the daily wage at the time of injury during 325 weeks.

(27) For the loss of an eye and a foot,  $66\frac{2}{3}$  per cent of the daily wage at the time of injury during 300 weeks.

(28) For the loss of two arms other than at the shoulder,  $66\frac{2}{3}$  per cent of the daily wage at the time of injury during 400 weeks.

(29) For the loss of two hands,  $66\frac{2}{3}$  per cent of the daily wage at the time of injury during 400 weeks.

(30) For the loss of two legs, other than so close to the hips that no effective artificial member can be used,  $66\frac{2}{3}$  per cent of the daily wage at the time of injury during 400 weeks.

(31) For the loss of two feet,  $66\frac{2}{3}$  per cent of the daily wage at the time of injury during 400 weeks.

(32) For the loss of one arm and the other hand,  $66\frac{2}{3}$  per cent of the daily wage at the time of injury during 400 weeks.

(33) For the loss of one hand and one foot,  $66\frac{2}{3}$  per cent of the daily wage at the time of injury during 400 weeks.

(34) For the loss of one leg and the other foot,  $66\frac{2}{3}$  per cent of the daily wage at the time of injury during 400 weeks.

(35) For the loss of one leg and one hand  $66\frac{2}{3}$  per cent of the daily wage at the time of injury during 400 weeks.

(36) For the loss of one arm and one foot,  $66\frac{2}{3}$  per cent of the daily wage at the time of injury during 400 weeks.

(37) For the loss of one arm and one leg,  $66\frac{2}{3}$  per cent of the daily wage at the time of injury during 400 weeks.

(38) For serious disfigurement not resulting from the loss of a member or other injury specifically compensated, materially affecting the employability of the injured person in the employment in which he was injured or other employment for which the employee is then qualified,  $66\frac{2}{3}$  per cent of the daily wage at the time of injury for such period as the Industrial Commission may determine, not to exceed 75 weeks.

(39) Where an employee sustains concurrent injuries resulting in concurrent disabilities, he shall receive compensation only for the injury which entitles him to the largest amount of compensation; but this section shall not affect liability for serious disfigurement materially affecting the employability of the injured person or liability for the concurrent loss of more than one member, for which members compensations are provided in the specific schedule and in subsection (e) below.

(40) In all cases of permanent partial disability it shall be considered that the permanent loss of the use of a member shall be equivalent to and draw the same compensation as the loss of that member; but the compensation in and by said schedule provided shall be in lieu of all other compensation in such cases, except as otherwise provided by this section.

In the event a workman has been awarded, or is entitled to receive, a compensation for loss of use of a member under any workmen's compensation law, and thereafter sustains a loss of such member under circumstances entitling him to compensation therefor under this act, the amount of compensation awarded, or that he is entitled to receive for such loss of use, shall be deducted from the compensation due under the schedules of this act for the loss of such member. Provided, however, that the amount of compensation due for loss of the member caused by the subsequent accident shall in no case be less than 25 per cent of the compensation payable under the schedules of this act for the loss of such member.

(41) In cases of permanent partial disability due to injury to a member, resulting in less than total loss of such member, not otherwise compensated in this schedule, compensation shall be paid at the prescribed rate during that part of the time specified in the schedule for the total loss of the respective member which the extent of injury to the member bears to its total loss.

(42) All the compensations provided in clause (c) of this section for loss of members or loss of the use of members are subject to the same limitations as to maximum and minimum as are stated in clause (a).

(43) In addition to the compensation provided in the foregoing schedule for loss or loss of the use of a member, the compensation during the period of retraining for a new occupation as certified by the division of re-education, operating under chapter 365, Laws of Minnesota 1919, shall be  $66\frac{2}{3}$  per cent of the daily wage at the time of the injury, not exceeding 25 weeks, provided the injury is such as to entitle the workman to compensation for at least 75 weeks in the schedule of indemnities for permanent impairments, and provided the Industrial Commission, on application thereto, shall find that such retraining is necessary and make an order for such compensation.

(44) In all other cases of permanent partial disability not above enumerated the compensation shall be  $66\frac{2}{3}$  per cent of the difference between the wage of the workman at the time of the injury and the wage he is able to earn in his partially disabled condition, subject to a maximum of \$20.00 per week. Compensation shall continue during disability; not, however, beyond 300 weeks.

(d) For permanent total disability as defined in subsection (e) below,  $66\frac{2}{3}$  per cent of the daily wage at the time

of the injury, subject to a maximum compensation of \$20.00 per week and a minimum compensation of \$8.00 per week; provided that if at the time of the injury the employee was receiving wages of \$8.00 or less per week, then he shall receive the full amount of his wages per week. This compensation shall be paid during the permanent total disability of the injured person, but the total amount payable under this subsection shall not exceed \$10,000 in any case, payments to be made at the intervals when the wage was payable as nearly as may be; provided, however, that in case an employee who is permanently and totally disabled becomes an inmate of a public institution, then no compensation shall be payable during the period of his confinement in such institution, unless he has wholly dependent on him for support a person or persons named in subsection (1), (2) and (3) of section 15 (whose dependency shall be determined as if the employee were deceased); in which case the compensation provided for in said section 15 shall, during the period of such employee's confinement as aforesaid, be paid for the benefit of said persons so dependent during dependency.

(e) The total and permanent loss of the sight of both eyes, or the loss of both arms at the shoulder, or the loss of both legs so close to the hips that no effective artificial members can be used, or complete and permanent paralysis, or total and permanent loss of mental faculties, or any other injury which totally incapacitates the employee from working at an occupation which brings him an income, shall constitute total disability.

(f) In case a workman sustains an injury due to an accident arising out of and in the course of his employment, and during the period of disability caused thereby death results approximately therefrom, all payments previously made as compensation for such injury shall be deducted from the compensation, if any, due on account of the death. Accrued compensation due to the deceased prior to death, but not paid, shall be payable to such dependent persons or legal heirs as the Industrial Commission may order without probate administration.

(g) If any employee entitled to the benefits of the workmen's compensation law is a minor and sustains injuries resulting in permanent total or permanent partial disability, the weekly earnings, for the purpose of computing the compensation to which he is entitled, shall be the weekly earnings which such minor would probably earn after arriving at legal age if uninjured, which probable earnings shall be approxi-

mately the average earnings of adult workmen below the rank of superintendent or general foreman in the plant or industry in which such minor was employed at the time of his injury.

Approved April 28, 1941.

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CHAPTER 523—H. F. No. 1561

*An act to appropriate money for state department of education, state education institutions, including University of Minnesota, University agricultural schools and experiment stations, teachers' colleges, aids to high, graded, and semi-graded and rural schools, certain appropriations for experiments and investigations, aid to agricultural agents and for other purposes; prescribing present and future regulations and limitations relative to the expenditure of certain portions thereof, and conferring upon the Board of Regents of the University of Minnesota the power of eminent domain in certain cases.*

Be it enacted by the Legislature of the State of Minnesota:

**Section 1. Appropriation for educational purposes.**—The sums hereinafter set forth in the columns designated "APPROPRIATIONS", or so much thereof as may be necessary, are hereby appropriated out of the general revenue fund in the state treasury for the purposes specified in the following sections of this act, to be available for the fiscal years indicated for each purpose. The figures "1941", "1942", and "1943", wherever used in this act, shall mean that the appropriation or appropriations listed thereunder shall be available for the year ending June 30, 1941, 1942, and 1943, respectively.

**Sec. 2. State University, University Farm School and experiment schools and stations:**

	APPROPRIATIONS	
	Available for the year	
	ending June 30:	
	1942	1943
1. For maintenance and improve- ments .....	\$3,727,910	\$3,620,000

Of the amount appropriated for the first year in Item 1, the sum of \$48,000, or so much thereof as may be necessary, shall be used for the installation of a 1,000-kilowatt turbine generator for the farm campus power plant.

Of the amount appropriated for the first year in Item 1,